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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 San Jose Division
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13 EASTECH ELECTRONICS
14 (TAIWAN), INC., a Taiwan
15 corporation,

16 Plaintiff,

17 v.

18 DIGITAL NETWORKS NORTH
19 AMERICA, INC., a Delaware
20 corporation,

21 Defendant.

Case Number: CV04-04542-JF

**JOINT STIPULATION TO
CONTINUE CASE MANAGEMENT
CONFERENCE; DECLARATION OF
KEITH J. WESLEY IN SUPPORT
THEREOF; PROPOSED ORDER**

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SEP 30 2005
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NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

ORIGINAL

1 Plaintiff Eastech Electronics (Taiwan), Inc. ("Eastech") and
2 Defendant Digital Networks North America, Inc. ("DNNA") respectfully request
3 that this Court grant the Order, attached hereto, continuing the date of the Case
4 Management Conference currently scheduled for October 7, 2005. Both Eastech
5 and DNNA stipulate to a continuance of that Conference until December 7, 2005,
6 or until such other time that is convenient for the Court. Pursuant to Local Rule
7 No. 6-2(a), the factors necessitating this request are contained in the accompanying
8 Declaration of Keith J. Wesley.

9 Date: September 30, 2005

LATHAM & WATKINS LLP

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12 By: 

Keith J. Wesley

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14 Attorneys for Plaintiff
15 Eastech Electronics (Taiwan), Inc.

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18 PILLSBURY WINTHROP
19 SHAW PITTMAN LLP

20
21 By: 

Theodore K. Bell

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23 Attorneys for Defendant
24 Digital Networks North America, Inc.

DECLARATION OF KEITH J. WESLEY

I, Keith J. Wesley, am over the age of 18 and declare as follows:

1. I am an attorney at the law firm of Latham & Watkins LLP, counsel to Plaintiff Eastech Electronics (Taiwan), Inc. ("Eastech") in the above-entitled case. I have personal, first-hand knowledge of the facts set forth below, and if called upon to do so, could and would testify competently thereto under oath.

2. Eastech filed its Complaint against Digital Networks North America, Inc. ("DNNA") in this action on October 27, 2004. The Court and parties engaged in an Initial Case Management Conference on April 1, 2005. This case was referred to Magistrate Judge Howard R. Lloyd for a settlement conference. A further Case Management Conference was scheduled to be held on Friday, August 5, 2005.

3. On June 24, 2005, Eastech and DNNA filed a joint stipulation to continue the August 5, 2005 Case Management Conference until October 5, 2005 or such other time that was convenient for the Court. The Court approved the parties' stipulation and ordered the Case Management Conference set for October 7, 2005.

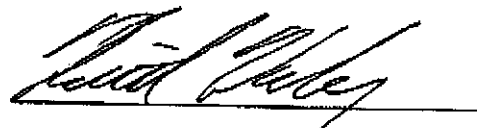
4. Since June 2005, the parties have continued to diligently pursue discovery in this matter. The parties met and conferred regarding DNNA's objections to Eastech's first set of discovery requests and resolved their differences absent court intervention. On July 19, 2005, DNNA served Eastech with its Supplemental Response to Plaintiff's First Set of Interrogatories and its Supplemental Response to Plaintiff's First Request for Production of Documents. On August 15, 2005, Eastech served DNNA with its Response to DNNA's First Request for Production of Documents and its Response to DNNA's First Set of Interrogatories. On August 25, 2005, Eastech served DNNA with its Response to DNNA's Second Request for Production of Documents and its Response to

1 DNNA's Second Set of Interrogatories. On September 14, 2005, Eastech sent, via
2 federal express, documents bates numbered EAST0035 through EAST0123 to
3 DNNA in response to DNNA's document requests.

4 5. In light of the ongoing discovery and investigation, Eastech and
5 DNNA have not yet had an opportunity to participate in a settlement conference or
6 take the approximately two to three depositions that the parties intend to notice.

7 6. I spoke, via telephone, with Theodore Bell, attorney for DNNA,
8 on September 26, 2005. Mr. Bell and I agreed that it would be beneficial to the
9 Court and both parties if Eastech and DNNA participated in a settlement
10 conference prior to reporting back to the Court for the next Case Management
11 Conference. As written discovery is likely substantially completed in this action,
12 the parties are now prepared to notice and take depositions and schedule and
13 participate in a meaningful initial settlement conference. Mr. Bell and I agreed that
14 those tasks could likely be completed within the next sixty days. Therefore, Mr.
15 Bell and I agreed that Eastech and DNNA should file the attached Joint
16 Stipulation.

17 7. I declare under penalty of perjury under the laws of the United
18 States of America that the foregoing is true and correct. Executed at Los Angeles,
19 California on September 30, 2005.

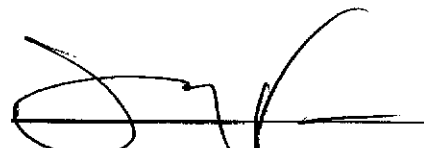
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23 Keith J. Wesley
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PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Case
Management Conference in this matter is rescheduled to 12/9, 2005.

Dated:

10/3/05


Judge Jeremy Fogel

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 633 West Fifth Street, Suite 4000, Los Angeles, CA 90071-2007.

On September 30, 2005, I served the following document described as:
**JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE;
DECLARATION OF KEITH J. WESLEY IN SUPPORT THEREOF; PROPOSED ORDER**

by serving an original of the above-described document in the following manner:

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Theodore K. Bell
Daniel J. Richert
Pillsbury Winthrop Shaw Pittman
2475 Hanover Street
Palo Alto, CA 94304-1114

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 30, 2005, at Los Angeles, California.


Patty Brownstein